GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA

UNSTARRED QUESTION NO:5802
ANSWERED ON:29.04.2015
CENSORSHIP OF INTERNET
Hari Shri G.

Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether the Government is considering to make regulation for censorship of internet;

(b) if so, the details thereof;

(c) whether the Government is considering to make an amendment to section 66A of the Information Technology Act; and

(d) if so, the details thereof and the reasons therefore?

Answer

MINISTER FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) and (b): There is no proposal with the Government to formulate the policy to censor the content on the Internet. However, the Information Technology (Intermediary Guidelines) Rules 2011 under Section 79 of the Information Technology Act 2000 requires that the Intermediaries shall observe due diligence while discharging their duties and shall inform the users of Computer resources not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way.

An advisory was issued on August 17, 2012 under Section 79 of Information Technology Act 2000 and Rules therein to all Intermediaries asking them to take necessary action to disable inflammatory and hateful content hosted on their website on priority basis. Government is in regular dialog with intermediaries including social networking sites for effective disablement of such objectionable content.

Further, as per section 69A of the Information Technology Act 2000 and the rules published there in, Government takes action, whenever sites / URL pages with objectionable contents are brought to notice of this department by the designated Nodal officers or when Court issues direction to block any URL of websites.

(c): Hon'ble Supreme Court, vide judgement dated 24th March 2015 in Writ Petition (Criminal) of Shreya Singhal Versus Union of India has struck down Section 66A of the Information Technology Act 2000 in its entirety being violative of Article 19(1)(a) and not saved under Article 19(2). The Government in the written submission in the said case has clearly stated that if Section 66 A in the present form falls foul of article 19(1) or 19(2) of the constitution then it does not support it.

(d): Does not arise.